

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**CLINICOMP INTERNATIONAL, INC.**

**Plaintiff,**

**v.**

**ATHENAHEALTH, INC.**

**Defendant.**

**CIVIL ACTION No. 1:18-CV-00425-LY**

**[JOINT PROPOSED] SCHEDULING ORDER**

This Court enters this Scheduling Order pursuant to Federal Rule of Civil Procedure 16. This Order memorializes the procedure and schedule that was discussed at the Initial Pretrial Conference and as subsequently agreed upon by the parties.

**IT IS ORDERED THAT** the following schedule shall govern this case, pending further orders of this Court:

<b>Case Management Deadlines</b>	<b>Date</b>
Disclosure: Claims/Infringement Contentions  For each claim asserted, the contentions shall include: (a) the priority date to which the claim is allegedly entitled; and (b) an identification of all evidence supporting this priority claim.	November 30, 2018
Disclosure: Invalidity Contentions  For each claim that Defendant contends is invalid, the contentions shall include: (a) the priority date to which Defendant contends the claim is allegedly entitled; and (b) an identification of all evidence supporting this priority date contention.	January 28, 2019
Identify Claim Terms to Be Construed and proposed constructions	February 8, 2019

This exchange shall include the intrinsic and extrinsic evidence that each party contends supports its proposed construction.	
Exchange Responsive Claim Constructions  This exchange shall include the intrinsic and extrinsic evidence that each party contends supports its proposed construction.	February 22, 2019
Joint Claim Construction Statement  The statement shall include a claim construction chart identifying for each term requiring construction: (a) the asserted claim(s) in which the term appears; (b) the language of the term; (c) each party's proposed construction for the term; and (d) the intrinsic and extrinsic evidence that each party contends supports its proposed construction. The statement shall also identify any terms for which the parties have agreed to a proposed construction.	On or before March 8, 2019
Close of Claim Construction Discovery	March 8, 2019
Opening Claim Construction Brief	April 9, 2019
Reply Claim Construction Brief	April 23, 2019
Technology Tutorial	February 19, 2019, 2:00 pm
<i>Markman</i> Hearing	May, 9, 2019, 2:00 pm

**SO ORDERED.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
HON. LEE YEAKEL  
UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a) on September 17, 2018 and was served via CM/ECF on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(b)(1).

Dated: September 17, 2018

/s/ Bruce R. Zisser

Bruce R. Zisser